IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION
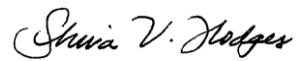
Breanne J. Williams,	)	C/A No.: 0:17-1063-TLW-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	ORDER
Alfredo Valencia Rodriguez and	)	
Daimler Trucks North America, LLC,	)	
	)	
Defendants.	)	
	)	

In this employment discrimination case, Breanne J. Williams ("Plaintiff") sues her former employer Daimler Trucks North America, LLC ("Daimler") and one of its employees, Alfredo Valencia Rodriguez ("Valencia"), based on her termination from employment by Daimler and alleged assault and battery by Valencia. All pretrial proceedings in this case were referred to the undersigned pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Civ. Rule 73.02(B)(2)(g) (D.S.C.).

This matter comes before the court on Daimler's motion to amend its answer. [ECF No. 36]. The motion having been fully briefed [ECF Nos. 37, 38], it is ripe for disposition. Daimler seeks to amend its answer to include additional affirmative defenses and correct scrivener's errors. [ECF Nos. 36, 36-1]. Plaintiff argues Daimler's motion should be denied because the affirmative defenses were not raised in the initial answer. [ECF No. 37]. Pursuant to Fed. R. Civ. P. 15(a)(2), a party may amend a pleading with leave of court and "[t]he court should freely give leave when justice so requires." "A motion to amend should be denied only when the amendment would be prejudicial to the

opposing party, there has been bad faith on the part of the moving party, or the amendment would be futile." *HCMF Corp. v. Allen*, 238 F.3d 273, 276 (4th Cir. 2001) (internal quotation marks omitted). Daimler moved to amend within the deadline under the scheduling order and Plaintiff has not made a showing that the amendment would be prejudicial, was made in bad faith, or is futile. Therefore, Daimler's motion to amend is granted. The Clerk is directed to separately docket the amended answer.

IT IS SO ORDERED.

Shiva V. Hodges

August 28, 2017   Shiva V. Hodges
Columbia, South Carolina   United States Magistrate Judge